IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

National Roofing Industry

Pension Fund,

:

Plaintiff,

:

v. Case No. 2:05-cv-0139

:

Romig Roofing Company, JUDGE SMITH

Defendant.

ORDER

There having been no response to the Court's order of January 5, 2006 directing plaintiff to show cause on or before January 20, 2006 why this case should not be dismissed, this action is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

/s/ George C. Smith
George C. Smith

United States District Judge